United Nations A/HRC/25/56/Add.1

General Assembly

Distr.: General
31 January 2014

Original: English

Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Report of the Independent Expert on minority issues, Rita Izsák

Addendum

Mission to Cameroon (2 – 11 September 2013)*

In Cameroon, there are more than 250 ethnic groups speaking many different languages and representing different faith groups. Cameroon is rightly proud of its record of stability and peaceful coexistence of such diverse communities. Its numerous development and social policies, general respect for minority rights and emphasis on national unity in diversity are important factors in that stability. In many respects, Cameroon is a positive example of how a highly diverse society in the region can be managed. While many challenges remain, the Government is open to discuss them and to involve minorities in shaping effective solutions. As an important measure to achieve such solutions, the Independent Expert urges the Government to fully record and gather regular disaggregated social and economic data, including in the census, which will clearly map the country's diversity and help to reveal challenges facing certain population groups.

The problems faced by the Pygmy and Mbororo pastoralist communities, who identify as indigenous minorities and who are among the poorest in Cameroon, were frequently raised, and require dedicated attention if their situation is to be improved. The Government has initiated a number of programmes targeting such groups. Solutions must take into account and respect their unique cultures, traditions and lifestyles if they are to be appropriate and sustainable. Issues relating to land access and ownership are of primary importance to these communities and require dialogue and a review of current legislation to

* The summary of the present report is circulated in all official languages. The report itself, annexed to the summary, is circulated in French and in the language of submission only.

GE.14-10691

1410691

Please recycle

secure their essential land rights.

The Mbororo frequently face conflicts over access to and ownership of land. Although the Government encourages sedentary lifestyles, some Mbororo wish to continue their traditional nomadic way of life. The Government should accommodate such wishes where possible and seek solutions to land disputes and problems of delivery of education and health care, for example, in consultation with communities. Corruption and manipulation of land laws must not be allowed to continue with impunity. Pygmy communities face severe challenges relating to their removal from forests and the loss of their hunter-gatherer lifestyle. They are poorly equipped to manage away from ancestral forest habitats and commonly face poverty and exploitation.

The decline in use of some of the country's many mother-tongue languages is cause for concern, and initiatives to record and maintain these languages alongside French and English are welcome. The North-West and the South-West are anglophone regions. While a national bilingual language policy is a positive practice, anglophone representatives expressed frustration at alleged discrimination in such areas as access to employment and political posts. While freedom of religion and harmonious coexistence of religious groups are generally evident, Pentecostal church leaders complained about the closure of some churches and about discriminatory registration processes. The Independent Expert called for clearer criteria and time frames to be established and respected, adding that legitimate Churches should not be punished for the illegal actions of some individuals or groups.

Annex

[English and French only]

Report of the Independent Expert on minority issues on her mission to Cameroon (2 – 11 September 2013)

Contents

		Paragraphs	*Page*
I.	Introduction	1–5	4
II.	Methodology	6–8	5
III.	Minority rights: legal and institutional framework	9–13	5
IV.	General and cross-cutting minority rights concerns	14–34	6
	A. Land rights	15–17	7
	B. Disaggregated data	18–20	7
	C Birth registration and national identity cards	21–24	8
	D. Access to education and health care	25–28	9
	E. Participation of minorities in political and public life	29–31	10
	F. Customary law and leadership structures	32–34	10
V.	Situation of Pygmy communities	35–42	11
VI.	Situation of Mbororo pastoralists	43–56	13
VII.	Situation of Montagnard communities	57–62	15
VIII.	Religious minority issues	63–67	16
IX.	Linguistic minority issues	68–74	17
X.	Conclusions and recommendations	75–98	19

I. Introduction

1. The Independent Expert conducted an official visit to Cameroon from 2 to 11 September 2013. She thanks the Government for its invitation and for its cooperation in the preparation and conduct of her visit. She thanks the senior governmental representatives, including the Ministers for External Relations, for Land Tenure, for Social Affairs, for Basic Education, for Arts and Culture, for Justice and for Territorial Administration and Decentralization, whom she met for their time and the information provided. She also thanks the numerous non-governmental organizations and others working in the field of minority issues who provided valuable information and assistance.

2. Cameroon has a great diversity of ethnic, religious and linguistic groups throughout the country. More than 250 ethnic groups and additional subgroups exist, with almost as many different languages spoken. According to the population and housing census conducted in November 2005, the total population was 17,463,836; official projections published in 2010, however, projected that the population would increase to 19,406,100 as at 1 January 2010.

3. In its report submitted to the Committee on the Elimination of Racial Discrimination in 1997,[1] Cameroon stated that the population comprised ethnic groups defined on the basis of dialect, in five major groups: the Bantu, in the South, Littoral, South-West, Centre and South-East provinces (now regions), comprising the Beti, Bassa, Douala, Yambassa, Maka, Kaka, Bakweri, Bali and others; the semi-Bantu, in the West and North-West, including the Bamileke, Bamoun, Tikar and Bali; the Sudanese, in the Adamawa, North and Far North, including the Mundang, Toupouri, Kotoko, Kapsiki, Mandara, Haoussa, Matakam, Bornouam and Massa; the Peulh, inhabiting the same regions as the Sudanese; and the Choa Arab people in the Lake Chad basin. Several ethnic and linguistic groups spread across neighbouring countries and therefore bring a regional dimension to the country's diversity.

4. Forest hunter-gatherer peoples (commonly referred to as Pygmies) include the Baka and Bakola in the East and the South and Bagyeli and Bedzam on the Tikar plain. Estimates suggest that Pygmies constitute about 0.4 per cent of the population. Montagnards, also referred to as "Highlanders" or "Kirdi" ("pagan" in Fulfulde), are made up of various ethnic groups; their exact numbers are unknown. They commonly practice forms of animism and ancestor worship, and have historically been socially, educationally and economically disadvantaged when compared with the more dominant Muslim Fulani population in the three northern provinces.[2]

5. Although the Constitution uses both the terms "indigenous" and "minorities", it is unclear to whom they are applied. In the above-mentioned report, the Pygmy population was referred to as "authentic indigenous inhabitants". A number of other groups, however, self-identify as indigenous or indigenous minorities, including the Mbororo pastoralists. According to the International Work Group for Indigenous Affairs, the questions over indigenous status prompted the Ministry of External Relations to conduct a study in 2009 to identify and characterize indigenous peoples and their problems. The study, completed in 2011, proposed that the groups to be considered indigenous include the Mbororo pastoralists and the hunter-gatherers (Pygmies).[3] Cameroon officially celebrates the annual

[1] CERD/C/298/Add.3.

[2] See www.cidcm.umd.edu/mar/assessment.asp?groupId=47101.

[3] See www.iwgia.org/regions/africa/cameroon/855-update-2011-cameroon.

International Day of the World's Indigenous Peoples and the Government involved communities in celebratory events.

II. Methodology

6. The Independent Expert's evaluation is based on the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and other relevant international standards, from which she has identified four broad areas of global concern:

(a) The protection of a minority's survival by combating violence against them and preventing genocide;

(b) The protection and promotion of the cultural identity of minority groups, and their right to enjoy their collective identity and to reject forced assimilation;

(c) The guarantee of the rights to non-discrimination and to equality, including ending structural or systemic discrimination and the promotion of affirmative action, when required;

(d) The right to the effective participation of minorities in public life and in decisions that affect them.

7. The Independent Expert visited Yaoundé and different regions where minority communities live, including Kribi in the South, Bamenda in the North-West and Maroua in the Far North. She undertook visits to local communities to hear their issues and concerns. The Independent Expert focused her work on national, ethnic, religious and linguistic groups whose generally non-dominant, disadvantaged situations require measures to allow them to exercise all their rights, including minority rights, to the fullest.

8. The Independent Expert acknowledges that some communities with whom she consulted also self-identify as indigenous peoples or indigenous minorities. She notes that their engagement with her mandate on minority issues and her analysis of the situations of such groups in no way undermines or is incompatible with their claims to indigenous status and to enjoy the rights contained in the United Nations Declaration on the Rights of Indigenous Peoples and other international standards for indigenous peoples, including rights to ancestral lands.

III. Minority rights: legal and institutional framework

9. The Constitution states in its preamble that "the State shall ensure the protection of minorities and preserve the rights of indigenous populations in accordance with the law." Article 7 prohibits discrimination, stating that "all are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination." Cameroon has no laws that explicitly forbid discrimination based on race, religion, language or social status; to date, the prohibition of racial discrimination has therefore not been fully incorporated into State legislation, including the Criminal Code and the Code of Criminal Procedure.

10. Cameroon is a party to international treaties relevant to minority rights, including the Convention on the Elimination of Racial Discrimination, the Covenant on Economic, Social and Cultural Rights and the Covenant on Civil and Political Rights, as well as the African Charter on Human and Peoples' Rights. Under the Constitution, international law has primacy over national laws. Cameroon was one of the few African countries to vote in

favour of the United Nations Declaration on the Rights of Indigenous Peoples in 2007 and to adopt the notion of "indigenous peoples" in its Constitution. To date, Cameroon has not ratified the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization (ILO). The Committee on the Elimination of Racial Discrimination recommended that Cameroon adopt a bill on the rights of indigenous people, ensuring their participation in the drafting process.[4]

11. The Ministry of Social Affairs has responsibility for combating social exclusion and promoting the integration of "marginalized people". Its Department of National Solidarity promotes the rights of indigenous populations, which encompass Pygmy hunter-gatherers, Mbororo nomadic herders, mountain dwellers, island and creek populations and cross-border populations. Although a bill on marginal populations has been drafted, rights groups consider that it does not address minority and indigenous issues comprehensively.[5] In the Ministry of Justice, the Directorate for Human Rights and International Cooperation, established by Decree No. 2005/122 of 15 April 2005, has responsibilities that include monitoring human rights issues generally and the application of the international human rights conventions to which Cameroon is a party.

12. The Independent Expert met with the National Commission on Human Rights and Freedoms.[6] The functions of the Commission, whose members are appointed by the Government, include addressing all claims concerning violations of human rights and freedoms, considering questions pertaining to the promotion and protection of human rights, bringing instruments pertaining to human rights to wider public attention, and maintaining contacts with the United Nations and other institutions. In performing its functions, it may summon the parties concerned to a hearing. Its four working groups include one focused on vulnerable groups and another on religious issues. The Commission includes civil society actors in its activities and provides reports and recommendations to the authorities.

13. Civil society groups working for the rights of minority and indigenous peoples highlight the important role of the National Commission in the protection of their rights. They pointed out that, while minority and indigenous groups are considered by the Commission, there is limited focus on their issues and few complaints are received by groups such as Pygmies. They suggested that the establishment of a separate unit for minority and indigenous peoples, employing staff from these communities, would significantly enhance its role. There has reportedly never been a Mbororo, Pygmy or Montagnard Commissioner or staff member since the establishment of the body. The Commission's role could be further enhanced to include training on minority and indigenous rights for authorities, including the police, gendarmes and judicial authorities.

IV. General and cross-cutting minority rights concerns

14. In the sections below, the Independent Expert briefly considers key thematic minority rights issues brought to her attention during her mission.

---

[4] CERD/C/CMR/CO/15-18, para. 15. See also CRC/C/CMR/CO/2, paras. 82–83.

[5] According to the International Work Group for Indigenous Affairs, the term "marginalized people" refers to all groups that have difficulty integrating into society, including the physically disabled and others. Inclusion of minority or indigenous people into this category makes it difficult to address their particular and exceptional situations.

[6] Originally established as the National Committee of Human Rights and Freedoms by Decree No. 90/1459 of 8 November 1990, it was renamed under Law No. 004/016 of 22 July 2004.

A. Land rights

15. Land issues were frequently cited as being a core concern of minority and indigenous peoples that have extremely strong and long-standing connections to land and territory, which they occupy and govern according to their customary practices, culture and traditions. Consequently, issues relating to access to and the use, occupation or ownership of land and displacement from lands featured prominently in consultations with the Independent Expert. The right to land is fundamental to the preservation of the identity, lifestyles, livelihoods and well-being of many minority and indigenous communities and to the enjoyment of a wide range of other human rights.

16. Under the primary land law,[7] the State is the guardian of all lands and has the right to intervene in land use on issues of national economic or defence policy. Lands that are not privately registered are classified as national lands controlled by the State.[8] Communities may privately register land and therefore claim ownership thereof only if they develop it by building houses or farms. The Government retains the right to stop communities from using unoccupied or unexploited national land, and may either use the land itself or grant it to another party for use or temporary concession. Where land is granted to a private company, plantation or a logging concession, for example, an environmental impact study must be conducted and a clearly established community consultation process be respected with those who use the land concerned. Human rights groups claim that this requirement is rarely fully respected in practice.

17. Some non-governmental organizations and media reports refer to an unprecedented degree of land grabbing that affects thousands of people displaced to make way for large-scale agribusiness and other projects.[9] Reportedly, the current legal and administrative regulations relating to land strongly disadvantage some communities and are frequently abused; for instance, those who use the land only for the purposes of hunter-gathering or grazing do not officially own the lands and their rights are consequently limited under the law. Some Mbororo communities have historically used certain routes for livestock grazing and therefore require essential seasonal access to them and nearby water sources. In 2010, the Ministry of Livestock, Fisheries and Animal Husbandry began consultations with civil society to revise the 1974 land tenure ordinance to address some community concerns.

B. Disaggregated data

18. Cameroon does not collect data disaggregated by ethnicity, religion or language; for this reason, few accurate and up-to-date data are available to provide a detailed picture of the country's ethnic, religious and linguistic diversity. The Independent Expert noted a general lack of statistical clarity even with regard to the actual number of ethnic groups and the number and status of national languages. Such data would reveal essential information on the population and socioeconomic situation of different groups within the country, and important trends in, for example, population numbers, religious affiliation and language usage. Such data could also identify problems facing particular groups by, for example, allowing poverty levels to be mapped and progress in poverty reduction to be monitored.

---

[7] Ordinance No. 74-1 of 6 July 1974.

[8] See John Nelson and Tom Lomax, *Forest Peoples Programme*, July 2013 (available from www.forestpeoples.org/sites/fpp/files/publication/2013/07/fpp-fpic-herakles-final-july-18-web.pdf).

[9] See www.iwgia.org/images/stories/sections/regions/africa/documents/2013/Cameroon.pdf.

19. Since independence, Cameroon has conducted only three census surveys: in 1976, 1987 and 2005. The results of 2005 were publicly released only in April 2010,[10] leading to claims of manipulation of data for political purposes. Under the country's regional-based development policy, population statistics have an impact on the allocation of State finances to different regions, the distribution of social and other services and even the allocation of parliamentary seats.

20. There is little accurate information on the numbers and relevant socioeconomic situation of Pygmies, the Mbororo and the Montagnards. While it may be particularly challenging to gather data on some of these communities, including those living in remote regions, in forest habitats and those who have a nomadic lifestyle, accurate data are nonetheless essential for, inter alia, ensuring essential services. Some non-governmental organizations with close connections to such communities are making vital efforts to conduct social surveys and community needs assessments, and deserve support in that endeavour.

C. Birth registration and national identity cards

21. Low levels of birth registration and poor access to national identity cards are a significant problem for minority and indigenous communities. The remote areas in which they live, nomadic lifestyles, lack of sensitization to the need for such documents and poor outreach by responsible bodies all contribute to the problem. Despite efforts by the Government, the issue remains a major concern and renders many effectively stateless. In 2010, a non-governmental organization, in a report on the implementation by Cameroon of the International Covenant on Civil and Political Rights, estimated that 95 per cent of the Baka did not have national identity cards, and that most could not afford to provide the necessary documentation to obtain them, even though they were required in order to vote in national elections.[11]

22. The lack of official identity documents has an impact on the enjoyment of a wide range of rights, services and social benefits. For example, the lack of such documents is said to be a hindrance in the access of Pygmy communities to hospitals, which have identification requirements for consultations. The communities therefore rely heavily on traditional remedies and development agencies for health care. A birth certificate is also a basic requirement for enrolment in primary school. Non-governmental organizations pointed out the need for measures by the Ministry of Territorial Administration and Decentralization to make birth registration easier for rural and minority communities. The vast majority of births in such communities take place at home, while birth certificates are only issued in hospitals.

23. The Government informed the Independent Expert about commendable initiatives, in collaboration with international non-governmental organizations, aimed at improving the situation for groups, including Pygmies and the Mbororo, and has successfully issued thousands of identity documents. Plan International, working together with the Ministry of Social Affairs, implemented a universal birth registration campaign in order to secure birth certificates for all children, including those (such as the Baka) belonging to minority indigenous groups. The programme reportedly helped 12,000 children to receive birth

[10] "La population du Cameroun en 2010", available from www.statistics-cameroon.org/downloads/La_population_du_Cameroun_2010.pdf.

[11] Centre for Civil and Political Rights, "NGO report on the implementation of the ICCPR", Geneva, June 2010 (available from www2.ohchr.org/english/bodies/hrc/docs/ngos/GeED_Cameroon_HRC99.pdf)

certificates in 2010 and 2011. The Civil Registration Act of 6 May 2011 extended the deadline for birth registration from 30 to 90 days.

24. In 2013, President Biya announced the issuing of free national identity cards as part of an effort to address the ongoing problem. In its national report submitted for the second cycle of the universal periodic review,[12] the Government highlighted that, in 2011, following a census carried out in eight regions, official documents were issued to members of the Pygmy and Mbororo communities: 6,600 national identity cards, and 4,253 declaratory judgements serving as birth certificates, including 1,500 for children (a birth certificate remains a requirement for the issuance of an identity card). Civil society groups pointed out that, despite the instructions from the President that identity cards be free, local officials often demand bribes and other fees that effectively defeat the purpose of the policy.

D. Access to education and health care

25. According to the United Nations Children's Fund,[13] Cameroon has a net primary school enrolment rate of around 84 per cent, making it one of the highest in western and central Africa. Civil society representatives, however, frequently cited education issues as among their primary concerns relating to some minority communities. While education is free at the primary level, certain minority communities face challenges that hamper their access to education and have a negative impact on education outcomes and literacy levels. Problems are particularly acute for communities living in remote or forest localities, and also arise in the provision of appropriate education for nomadic communities, issues relating to language for communities whose mother tongue is not used in schools (public education is conducted in French and English only, putting some children at a disadvantage) and extreme poverty.

26. Additional problems exist within communities, including a negative perception of the value of education among traditional hunter-gatherer or pastoralist peoples. The situation of minority and indigenous girls is a special cause for concern. Established gender roles, early marriage and childbirth, the priority given to boys and other cultural factors contribute to lower participation rates in education and higher drop-out rates for girls.[14] While these challenges affect many communities, they are particularly grave for certain minority and indigenous groups. The Government is striving to address such concerns, including by means of sensitization campaigns aimed at parents and the creation of "girl-child friendly" primary schools.

27. The Government stated that everyone has the right to equal access to education in Cameroon, in accordance with article 7 of Act No. 98/04 of 14 April 1998 on education guidelines in Cameroon. It noted that, in cooperation with United Nations agencies and local and international non-governmental organizations, it had strengthened measures to improve the access of vulnerable groups, in particular Pygmies and the Mbororo, to education. Such measures include scholarships, certificate-based admission to training schools, the provision of school kits, teacher training, the building of schools closer to villages, the construction or rehabilitation of classrooms, mobile schools for nomadic

[12] A/HRC/WG.6/16/CMR/1, para. 73.

[13] See UNICEF, *Progress for Children: Achieving the MDGs with Equity*, No. 9, September 2010. Available from www.unicef.org/protection/Progress_for_Children-No.9_EN_081710.pdf.

[14] According to data collected in 2011 by the Cameroon Indigenous Women Forum, the rate of illiteracy among Mbororo Fulani pastoralist women is around 98 per cent. See www.ohchr.org/Documents/Issues/IPeoples/IFP/Acisatu_Bouba_December_2012.pdf.

populations, and the issuance of birth certificates. Representatives of non-governmental organizations and minority groups pointed out that greater awareness-raising about such initiatives was required, since many people were unaware of them and their impact was therefore limited. Government officials stated that certain communities, owing to cultural and traditional factors and lifestyles, do not value education or consider it a high priority. This commonly-held view was, however, disputed by rights groups working with communities, describing it as a stereotype that can hamper steps towards solutions or be invoked to justify poor progress in the education services provided.

28. Certain groups face significant challenges, including in particular the Pygmy people with regard to health and their access to health-care services. Forest-dwelling and remote or nomadic communities frequently have no access to health care owing to their location, the lack of funds to pay for treatment, and the lack of interaction with authorities and service providers. Poor health-care information and low levels of education also have a significant impact on access to health care, while vaccination programmes can be slow to reach remote and forest peoples. Fear of discriminatory treatment can also lead communities to avoid seeking medical services.

E. Participation of minorities in political and public life

29. Certain ethnic minorities are grossly underrepresented in political, administrative and decision-making structures. It was pointed out that no member of the Pygmy or the Mbororo communities has held the position of government minister, regional governor, senior divisional officer, town or city mayor, member of parliament, senator or leader of a political party. For certain Pygmy and Montagnard communities, the situation is particularly severe. Contributing factors include lack of education, language issues and poverty, although some claim that minority groups face political marginalization and exclusion by political and ethnic elites at all levels of political life and decision-making.

30. The Electoral Code lays down provisions governing elections and the right to stand for election without discrimination. Electoral laws require that electoral lists take into account the "sociological components of the constituency concerned".[15] Non-governmental organizations consider that this creates an obligation to include on party lists appropriate representation of the ethnic communities present in the constituency. Before the elections in 2013, a number of party lists were challenged by minority rights groups on the grounds that they were not in conformity with this requirement. Nevertheless, their objections were eventually dismissed by the Supreme Court.

31. The Government pointed to some progress in improving the participation of minorities in the management of public affairs,[16] stating that it had been working on awareness-raising measures relating to political participation and to help to achieve appropriate representation of all population groups without distinction on all electoral lists and the involvement of national and ethnic minorities in the electoral process.

[15] Part V, section 151 (3), of the 2012 Electoral Code on the election of members of parliament states that "each list shall take into consideration the various sociological components of the constituency concerned. It shall also take into consideration gender aspects."

[16] A Mbororo is mayor of the Ngaoui Council in the Mbere Division. There are also four Deputy Mbororo mayors and several councillors; a Mbororo is also Chargé de Mission at the Presidency of the Republic.

F. Customary law and leadership structures

32. Customary law is legally recognized and enforceable, and remains in force in rural areas. It is valid only when it is not "repugnant to natural justice, equity, and good conscience".[17] Customary law is based on the traditions of the ethnic group predominant in the region and administered by the authorities of that group.[18] Many citizens in rural areas are unaware of their rights under civil law and refer instead to customary laws. Some communities are remote from civil courts and have little practical option other than to rely on customary law. In practice there may be negative effects of customary law and leadership structures on persons belonging to a particular ethnic or religious minority who fall under the customary practices of another, more dominant ethnic or religious group.

33. Cameroon maintains a system of chiefs, headed by paramount chiefs who hold considerable powers at the local level. While the system generally allows for a degree of autonomy over their affairs for ethnic and religious groups, the Independent Expert was informed of cases of alleged favouritism or abuse of power by paramount chiefs. In one locality near Maroua in the Far North, some Christian community members complained that, despite good relations in the past, a Muslim paramount chief had begun to charge them rent on land that belonged to them, and expressed their concern that it was an attempt to remove them from their lands. Community representatives stated that it was impossible for members of some minority groups to be appointed paramount chiefs, so they were consistently under the authority of leaders from other ethnic or religious groups.

34. Community representatives expressed their concern at the power wielded by paramount chiefs over community affairs and the lack of effective redress for those who object to decisions they find unfair or in violation of their rights. It was also reported that regional government officials, including governors and senior divisional officers, exercise little authority over or have a negligible oversight role in the activities of paramount chiefs, and take little if any action to resolve local disputes falling within the jurisdiction of a paramount chief.

V. Situation of Pygmy communities

35. Pygmy communities have traditionally lived in the forests, conducting hunter-gatherer lifestyles in harmony with their forest environment. Many have historically had little interaction with wider society and had a self-sufficient, subsistence livelihood. These communities have, however, been deeply affected by the logging industry and other natural resource and economic development projects in the areas that they traditionally inhabit. Logging activities are estimated to cut down 2,000 km^2 of forest every year. The loss of forestland and the removal of the Pygmies to make way for logging and development projects have had a major impact on Pygmy communities, which are poorly equipped for life outside the forest.

36. Non-governmental organizations estimate that as many as 75,000 Baka Pygmies live in Cameroon, although their exact number is unknown. The logging industry has led to the resettlement of many Baka to villages and roadside camps outside the forest, where they face discrimination, marginalization and numerous social problems. They lack education and employment; alcoholism and teenage pregnancy are reportedly common in displaced Pygmy communities. Deprived of forest-based food sources and lacking sustainable

[17] CCPR/C/CMR/4, para. 48.

[18] Centre for Civil and Political Rights, "NGO report" (see footnote 11), pp. 10-11.

income-generating activities, the displaced Pygmy communities suffer from poor nutrition, which has a direct impact on health, child development and life expectancy.[19]

37. The Independent Expert visited a displaced Bagyeli Pygmy community in Kribi, in the South. The people live in very basic accommodation and extreme poverty. One community leader requested the Independent Expert to "help bring us out of this misery". While economic development projects are necessary for the country's development, non-governmental organizations working with Bagyeli communities commented that many Pygmy communities have been displaced by major projects, including a deep-sea port, gas plants, the Chad-Cameroon oil pipeline, and forestry and logging projects. Palm and rubber plantations have also displaced the Bagyeli, and their former forest habitats have become "no-go" areas for them. They rarely receive compensation for their land, jobs, health care or other benefits.

38. The national land tenure laws are particularly problematic for Pygmies, since they recognize those who develop the land as eligible for land concessions or compensation if they are required to be relocated for development projects. The Pygmies, however, are only considered to occupy the forest and have consequently not been granted rights of ownership or given compensation when they have been relocated. The Government pointed out that the 1994 law on the rules governing the forests authorizes the reassignment to the local Pygmy and Bantou peoples of a share of annual forest and faunal royalties that amounts to 12 per cent.[20] It is unclear whether this has been honoured in practice and how such an allocation has been provided or used to assist communities.

39. Pygmies commonly lack education and skills, and have no access to employment or any form of income-generating activities. They frequently lack agricultural skills and training. In some cases, they face exploitation for their labour or are subject to abuse by others who see them as backwards and undeveloped. Some Bantu communities reportedly treat Pygmies as their property, and use them in what amounts to conditions of forced labour. There are few avenues for Pygmies to take up their issues, since they are almost totally excluded from political and decision-making bodies at all levels.

40. A number of government-supported programmes are aimed at improving the living conditions of Pygmy groups. In July 2013, the Ministry of Social Affairs announced the second phase of its development plan for Pygmy peoples, implemented by the National Participatory Development Programme. Under the plan, some 800 million CFA francs have been allocated to activities for Pygmy peoples in 31 municipalities in the Centre, East and South regions. Components of the plan focus on key areas of concern, including citizenship, education, agriculture, health, inter-community dialogue and land security.

41. Cameroon adopted a plan for the development of the Pygmy peoples within the framework of its poverty reduction strategy paper. A plan for indigenous and vulnerable peoples has also been developed in the context of the oil pipeline carrying oil from Chad to the Cameroonian port of Kribi.[21] The international non-governmental organization Plan International is working with the Ministry of Basic Education to pilot the use of the Baka language in some primary schools, and hopes to demonstrate an improvement in education outcomes for the Baka who undertake the programme compared to those who attend schools using only the official languages. School books and teaching materials appropriate

[19] See the report of the Special Rapporteur on the right to food on his mission to Cameroon (A/HRC/22/50/Add.2), para. 16.

[20] CERD/C/CMR/15-18, para. 86.

[21] See www.iwgia.org/images/stories/sections/regions/africa/documents/IW2010/cameroon_iw_2010.pdf.

for use by Baka children have been developed, and children attending pilot schools have been provided with school kits.

42. The Independent Expert was informed that, despite the above-mentioned efforts, many governmental initiatives achieve limited results because they are often ad hoc in nature, not permanent or sustainable, and not based on specialist knowledge of the communities and their needs, or on the expertise of non-governmental organizations working with them. Some projects provide money to communities, although many are not used to receiving and managing money; it could indeed be counterproductive, and lead to problems, including alcohol abuse.

VI. Situation of Mbororo pastoralists

43. Mbororo pastoralist communities are estimated to number more than 1 million people, which would account for some 12 per cent of the total population. The Independent Expert met numerous community representatives, including the Mbororo Social and Cultural Development Association in Yaoundé and Bamenda (North-West), and visited Mbororo communities near Bamenda. Some described a problem of general discrimination against the Mbororo owing to a perception that they are a foreign presence or strangers who do not fully belong, and are consequently treated as second-class citizens.

44. While in certain regions such as the North-West, the Mbororo are now largely settled communities, in other regions, such as the Far North, the Mbororo continue their nomadic, pastoralist lifestyle. Land issues may therefore differ from one region to another, and for different pastoralist communities. Cases of tensions and conflict over land ownership, occupation and use were frequently raised by representatives of Mbororo communities. They stated that conflicts between farmers, ranchers and herders are a major issue for the Mbororo throughout the country, and that some conflicts have continued for generations.

45. The Mbororo claim that agro-industrial companies, including some foreign-owned companies, are taking over large areas of historic grazing lands (such as in Kadey and Lom and Djerem Divisions) in order to establish sugar plantations and other forms of agro-business. This is allegedly done without the free, prior and informed consultation with or consent of the Mbororo communities. Concerns also exist over the impact of the establishment of national parks, including Ntakamanda National Park in the South-West, and the threat of expulsion of Mbororo families and their livestock from newly protected areas. The Mbororo have reportedly occupied these lands for more than a century. Ranching operations in the Adamawa region is a major concern for the Mbororo, who claim that their traditional herding is being threatened.[22]

46. Some land rights cases demonstrate that the current system of land categorization, tenure or ownership may leave some communities vulnerable to eviction from their homes and lands, and may be open to abuse. Poor, rural and poorly educated communities may be particularly vulnerable to attempts to obtain their lands by parties that do not compensate them adequately or make clear the nature of agreements proposed and that may ultimately lead to their eviction. It is imperative that any such transactions are fully transparent and, where necessary, subject to judicial review.

47. The Independent Expert visited the community of Wumse Ndzah, Bamenda III Subdivision (North-West), the scene of a long-term land dispute between the Mbororo community and the Catholic University. The University claims to have paid compensation

[22] See www.iwgia.org/images/stories/sections/regions/africa/documents/2013/Cameroon.pdf.

to community members to acquire and build on the site. Community members countered that they had not been fully aware of what the payments were for and would not voluntarily have agreed to quit their homes and land that they have occupied since 1904. Community representatives claimed that their land had been falsely classified as Category 2 land, namely, unoccupied and available for concession. The community added that, had this been the case, however, no payment would have been made to the community by the University.

48. The Independent Expert visited the neighbouring Bambili Tubah Sub Division, where houses belonging to the ethnic Bambili community had been demolished, reportedly by bulldozers sent by the administration of Mezam Division. Community members stated that they had not been consulted or given prior warning, and that lives may have been endangered. They did not know why their homes had been destroyed. Those affected remain homeless or live with neighbours, and were clearly distressed. The authorities reportedly claim that prior warning had been given and that the land had been designated as a resettlement site for the Mbororo due to be expelled from their homes on the neighbouring Mamada Estates (see paragraph 47).

49. High-profile land disputes involving Mbororo communities have drawn much media attention, including a long-standing dispute with Baba Ahmadu Danpullo, a prominent and wealthy individual rancher, in the North-West. The Government has taken steps to settle this and other disputes; for example, in 2003, it created a special interministerial commission to investigate the conflict between the landholder and the Mbororo. The recommendations made by the commission - including restoration of the original ranch boundaries and compensation for displaced victims - have not, however, been implemented, leading to a protracted dispute that now threatens to undermine new initiatives to resolve it.

50. Mbororo representatives made serious allegations relating to ongoing land disputes, including the shooting and serious injury of a Mbororo human rights defender and the alleged harassment, including judicial harassment, of others. Representatives of the Mbororo Social and Cultural Development Association (see paragraph 43 above) alleged that they had been subject to harassment and unfounded charges because of their legitimate activities to protect and promote the rights of the Mbororo and ongoing land disputes. They alleged that investigative and judicial procedures had been flawed and discriminatory, and called into question the independence of law enforcement bodies and the judiciary.

51. In the Far North, local authorities stated that there were few tensions between pastoralists and farmers or other local inhabitants over land and resources. Unlike in other regions, most pastoralists are nomadic and continue to follow a traditional lifestyle and traditional grazing routes, which are well known to farmers and accepted by them. Many Mbororo cross national borders and do not have identification cards. They may stay to graze for weeks at a time, but then move on to find food for their cattle; they thus have little impact on local communities and there is little cause for tensions or conflict, because land is plentiful in the region.

52. Civil society representatives nevertheless highlighted the fact that the Mbororo face numerous challenges relating to their nomadic lifestyles, and emphasized that conflicts over land are common in all regions. In the far North, vast areas of grazing lands normally used by pastoralists have reportedly been leased to foreign companies, including as hunting zones for the foreign tourist market. Mbororo cattle have been killed because they allegedly "trespassed" into these zones.

53. In consultation with civil society, a pastoral code has been drafted, which includes provisions for the demarcation of boundaries between pastoral land and farmland, which is

a major source of conflict. If adopted,[23] the code would open corridors for cattle grazing, facilitate access to water sources, and outline procedures for the establishment and management of community pastures. While civil society groups consider the code a very positive development, they point out that it still does not affirm the collective customary ownership rights of the Mbororo over lands they have been using for generations or address the issue of grazing lands being "national lands" under the current land laws.

54. The Mbororo are subject to a long-standing tax on their livestock (cattle and horses) that they consider to be discriminatory. The Jangali tax is reportedly levied – above and beyond regular purchase and sales taxes for livestock – on all livestock, even animals kept for subsistence or cultural reasons and not purely for economic profit. The tax, which is reportedly levied annually on each animal, disproportionately affects the Mbororo because of their strong cultural and everyday association with livestock.

55. Mbororo communities in the far North reported cases of violence and kidnapping by armed bandits or *coupeurs de route*, a phenomenon that has reportedly increased significantly in recent years. Armed persons steal cattle or kidnap family members who are held hostage for ransom. The perpetrators are aware that families have livestock, which they can sell to pay ransom demands, although this may impoverish the herders' families. Local authorities in Maroua stated that a special police rapid intervention force (BIR) was established in 2011 to prevent armed robbery and kidnapping, and that the situation had improved.

56. In Bamenda, Mbororo representatives acknowledged the progress made in the 2013 council elections, in which 48 Mbororo councillors had been elected, reflecting a significant increase. The Mbororo attributed the increase to, inter alia, awareness-raising initiatives on minority indigenous, civil and political rights by non-governmental organizations and efforts by political parties to gain the Mbororo vote. While the number of councillors was the highest in more than a century, the representatives pointed out that there had never been a Mbororo Member of Parliament, and that much remained to be done at the regional and national levels to achieve appropriate representation. The Mbororo now account for 4.8 per cent of councillors in the region; according to ILO, however, the Mbororo number some 130,000, or 7 per cent of the total regional population.[24] While four of the councillors are women, targeted efforts are needed to increase female representation.

VII. Situation of Montagnard communities

57. The Independent Expert was informed by civil society groups about the challenges faced by Montagnard communities. The exact number of Montagnards (also known as Highlanders or Kirdi) which comprise various ethnic groups, is not known. The Government estimates that there are some 82,000, while non-governmental sources suggest that they number more than 400,000 in the Mandara Mountains area in the Far North. The Montagnards reportedly endure particular challenges owing to their cultural and social marginalization, their economic situation and high incidence of poverty, and their underrepresentation in political, decision-making and administrative bodies.

58. The Independent Exert was concerned at the lack of detailed information relating to Montagnard communities. According to civil society actors, this lack of data has resulted in

[23] According to the International Work Group for Indigenous Affairs, the code was validated in December 2012 and forwarded to the Head of Government for submission to Parliament. See www.iwgia.org/images/stories/sections/regions/africa/documents/2013/Cameroon.pdf.

[24] See www.ilo.org/indigenous/Activitiesbyregion/Africa/Cameroon/lang--en/index.htm.

their neglect when compared to other communities, and in terms of policy and programme measures to improve their living conditions and socioeconomic situation. While people of all ethnic and religious groups living in remote and mountainous regions may have to endure a range of problems caused by lack of development and by poverty, ethnic and religious minorities such as the Montagnards may be made particularly vulnerable by factors that include their non-dominant position with regard to other communities.

59. The Independent Expert was informed that, historically, the Montagnards have always had a lower economic and social status than other communities, a condition that continues to this day. Some were historically former slaves of the Fulani people in certain chiefdoms since the nineteenth century. Today, some reportedly continue to experience exploitative relations with neighbouring communities, including labour practices that may constitute bonded labour or forced servitude. Some Montagnards allegedly work for Fulani rulers for low wages and remain trapped in such hierarchical relations because of a lack of options and poverty. They are reportedly required to pay local chiefdom taxes to the Fulani. The combination of low wages and taxes, although legal, may effectively constitute forced labour.[25]

60. Montagnard communities reportedly have no paramount chiefs; indeed, their chiefs are commonly considered third-class and under the authority of Islamo-Fulbe chiefs (*Lamibes*). Consequently they have little decision-making power or authority over community affairs that affect them and their lands. The Montagnards are Christians or followers of traditional African religions; some reports allege that they are subject to religious-based discrimination by dominant Muslim communities. They are reportedly not represented in regional or national decision-making and political and economic structures of State, and consequently have little say in decisions affecting them. Some groups have allegedly been displaced from their lands by government projects, without compensation.

61. A range of other problems that this minority group faces require investigation and attention. The often remote location of their land results in an absence of governmental administrative services, for example, for the registration of births. Montagnard communities also suffer from a lack of education and health-care facilities, since most schools and hospitals are located in urban centres. Infant mortality rates are reportedly higher than the national average. A lack of investment in infrastructure in the mountain region has resulted in the scarcity of roads and an electricity supply, water sources and employment opportunities. Since the mountain region is also unsuitable for agriculture, most people have no regular source of income; consequently, the levels of poverty and extreme poverty are reportedly high.

62. The Government highlighted the fact that a number of initiatives seek to address the challenges faced by mountain communities. The Mandara Mountains Development Project, for example, is an integrated project designed to improve the living conditions of mountain peoples thanks to the provision of basic social welfare services to targeted social groups in an effort to eliminate all forms of discrimination against them.[26]

VIII. Religious minority issues

63. In general, religious groups coexist harmoniously in Cameroon. The Constitution and other laws and policies protect religious freedom and, in practice, the Government

[25] United States Department of State, Cameroon 2012 Human Rights Report, available from www.state.gov/documents/organization/204309.pdf.

[26] CERD/C/CMR/15-18, para. 78.

generally enforces these protections. Muslims and Christians are found in every region, and large cities have significant populations of both groups. Anglophone regions of the western part of the country are largely Protestant, while the francophone regions of the southern and western areas are mostly Catholic. In the northern regions, the dominant Fulani (or Peuhl) ethnic group is mainly Muslim, but the overall population is fairly evenly divided among Muslims, Christians and followers of indigenous religious beliefs. Indigenous religious beliefs are commonly practiced in rural areas.

64. The Independent Expert met leaders of Pentecostal churches, who raised concerns, including with regard to registration processes that they believe discriminate against them. Although the history of the Pentecostal Church in Cameroon reportedly dates back to 1958, leaders stated that they have not been granted the same recognition as other faiths. Despite an increase in followers, pastors noted official and wider social discrimination against their churches and congregations and negative perceptions of them as "sects" posing a danger to those who join. One leader referred to "open expressions of hatred" in the media, portrayals of them dividing families, and hostility that "makes it difficult for individuals to live openly according to their faith". They described persistent harassment and persecution, including the arrest of pastors on charges that they consider unjust or fabricated.

65. Pentecostal Church leaders pointed out that many churches had not received authorization to function even though they had fulfilled all the requirements, and were therefore forced to function without legal status. They stated that, despite prior authorization received from the Ministry of Territorial Administration and Decentralization and background checks having been conducted, their files were frequently "lost" or blocked at some stage prior to completion, sometimes for several years. The authorities "refused to collaborate at every level". Leaders called for open and transparent procedures for authorization, with clear criteria and time frames that should be adhered to, and refusals for authorization clearly explained.

66. Pentecostal leaders raised concerns about the closure of more than 30 churches in Yaoundé and Bamenda in August and September 2013 by written instruction of senior divisional officers "for activities contrary to the law and good morals", and reportedly based on an order of the President. Reports suggest that further closures may be planned. Many churches were identified as "clandestine", functioning without full legal status. Media reports highlighted allegations of illegal and immoral activities in some churches as justification for the closures.

67. Leaders strongly refuted accusations of illegal activity by most churches, adding that any allegations made should be investigated and individuals be prosecuted if found guilty of illegal acts. They felt, however, that many churches were being collectively punished for the actions of a few, given that the majority of churches are law-abiding. They added that they had not been consulted before the closures. Pastors stated that there is a climate of hostility towards Pentecostal churches that is being fuelled by inflammatory media coverage and the statements of politicians. They called for international and national laws on freedom of religion and belief, non-discrimination and minority rights to be implemented fully for all religious minorities.

IX. Linguistic minority issues

68. Article 1 of the Constitution establishes that English and French are the official languages of Cameroon, and that both languages have the same status. The State is to guarantee the promotion of bilingualism throughout the country, endeavour to protect and promote national languages. French and English were introduced during the colonial period. After independence and reunification in 1961, Cameroon opted for a policy of

official language bilingualism. Experts suggest that more than 275 indigenous African languages are spoken in the country, making Cameroon one of the most linguistically diverse countries in the world. Many mother-tongue languages remain in common usage in different regions. Some languages are used by relatively few and have no written form to assist in their preservation, making them particularly vulnerable.

69. The UNESCO Atlas of the World's Languages in Danger (www.unesco.org/culture/languages-atlas/index.php) identifies 36 languages in Cameroon categorized as endangered to varying degrees, with three identified as extinct. Factors contributing to the serious decline of some languages include the prevalence of French and English as national languages and the lingua franca in most official interactions, including government, administration and services. The sheer extent of linguistic diversity in the country may also be a factor, since the high degree of interaction and intermarriage between those of different language groups results in the need for a common language, which is then transmitted to the children as their main language of communication. Young people increasingly prioritize French and English as most useful for their economic, social and physical mobility.

70. A significant proportion of the population conduct their daily interactions in mother-tongue languages and are not fluent in the official languages. This fact can be a major barrier to the development of some minority communities, and poses challenges in their interaction with authorities. Cameroon does not have an official policy for the protection and promotion of native languages. A number of initiatives have however been taken to protect and promote national languages in accordance with the Constitution. These initiatives include projects that involve the recording of languages and a pilot bilingual education programme conducted in cooperation with non-governmental organizations, including Plan International.

71. Cameroon's bilingual policy and its emphasis on French and English to the detriment of other languages have also been motivated by the desire to promote national unity; however, French remains the most commonly used and understood European language, spoken by more than 80 per cent of the population. Despite the bilingual policy, there is a distinct geographical demarcation between English- and French-speaking regions. The Independent Expert noted several positive elements of the bilingualism policy in practice, including in some television, radio and print media, in which English and French were clearly used alongside each other. Critics however suggest that the majority of media output is solely in French in most of the country.

72. In Bamenda, in the North-West (one of two regions where the majority are anglophones), the Independent Expert encountered a commonly voiced perception of general discrimination against anglophones, and specifically in such areas as access to public posts and political office. Some complained that, even within anglophone regions, francophones are commonly appointed to senior positions and public offices, decisions that some perceive as deliberate and politically motivated. Francophones have access to employment in the civil service without being bilingual, whereas this is rarely the case for anglophones.

73. The predominance of French as the language of Government and administration in most regions was highlighted. Numerous official documents, including certain laws and decrees, are unavailable in English. The Government has promoted bilingualism by creating bilingual secondary schools and through initiatives that include pilot linguistic centres. Francophones have, however, little incentive to learn English, while anglophones stated that they felt forced to learn French to have access to the status and opportunities that its knowledge affords. One commentator stated, "even in this anglophone region, we are served in French". Others described their perception of relative general neglect of the anglophone region with regard to economic development.

74. The Independent Expert was informed about the situation of certain anglophone individuals and organizations advocating for greater political autonomy for their regions or for secession from Cameroon, including on the grounds of the distinct cultural and linguistic characteristics of the region's inhabitants and other historical factors. Some organizations, including the Southern Cameroons National Council, have been banned on the grounds of their activities, and numerous individuals have faced arrest, detention and restrictions on their freedom of association and assembly and their freedom of expression. Serious allegations of mistreatment and abuse in detention were made, while it was also noted that no individual had been found guilty by the courts of any crime.

X. Conclusions and recommendations

75. It has been frequently said that Cameroon is "Africa in miniature". It is indeed evident that the diversity in the country is valued, and that persons belonging to many different ethnic, religious and linguistic groups feel that they are equal stakeholders in society. Cameroon is rightly proud of its record of stability and peaceful coexistence of its diverse communities. While an emphasis is placed on creating unity in diversity, most people are free to practice their religion, use their language and maintain and express unique aspects of their identity, culture, traditions and lifestyles without hindrance. In many respects, Cameroon is a positive example of managing a highly diverse society in the region.

76. As in all countries in the region, however, challenges involving specific minorities with unique circumstances remain to be resolved. Those belonging to the Mbororo, Pygmy and Montagnard communities face challenges specific to their lifestyles, livelihoods and relationship to the lands that they own, occupy or historically use. The Independent Expert welcomes the Government's openness to discuss these remaining and ongoing concerns, and to work with minorities and national and international partners to overcome them. Importantly, adequate financial, human and development resources must be allocated and targeted at protecting and promoting the rights of minorities.

77. Communities, such as the Mbororo, the Pygmies and the Montagnards, with their unique lifestyles, cultures, traditions and languages, constitute a rich and irreplaceable part of the country's national and cultural heritage. Parts of that valuable heritage are, however, under clear and immediate threat from development projects and the activities of private companies and other actors. While economic and development goals are legitimate and necessary for the benefit of all, they should not be pursued at the cost of the loss of distinct communities and cultures. In the planning, design and implementation of national projects, due regard must be given to minimizing their impact on vulnerable communities, whose interests must be accorded a high priority.

78. The Independent Expert urges the Government to take measures to fully record and gather regular social and economic data, including in census surveys, that will clearly map the country's diversity and help to reveal the specific challenges facing particular population groups. In addition to gender disaggregation, data should be disaggregated on the basis of ethnicity, religion and language, and individuals should be able to self-identify as belonging to their chosen ethnic and linguistic group, and faith.

79. The Independent Expert welcomes the efforts made by the Ministry of Arts and Culture to ensure the preservation of the country's diverse cultural heritage. Adequate resources should be provided for the cultural and protection activities of the

Ministry, including through the establishment of the new national museum, which will have great potential to play a key role in education, awareness-raising and cultural preservation.

80. The current legal and administrative regulations governing land use, occupation and ownership do not offer certain minority and indigenous communities adequate protection of their land rights, and should be reviewed and amended to provide stronger legal protection against land grabbing, illegal eviction, forced displacement and ongoing land disputes. Specific legal and policy measures are required to protect the land rights of those who practice nomadic, transhumance and hunter-gatherer lifestyles, including their right to have access to traditional forest habitats and to use land seasonally for grazing.

81. The Government is urged to ratify ILO Convention No. 169. Importantly, the Convention requires that indigenous and tribal peoples be consulted on issues that affect them and be able to engage in policy and development processes that affect them. It also requires their free, prior and informed consent for projects implemented on their lands and territories. A specific national law on the rights of minority and indigenous peoples should be drafted in consultation with the communities concerned.

82. Local disputes, including over land and inter-community affairs, are commonplace and must be effectively settled and prevented to avoid tensions emerging and growing between communities. It is essential that Government leaders at the local and national levels consult and involve grass-roots community representatives in decision-making processes in order to maintain the peaceful coexistence of the various ethnic and religious groups. National human rights commitments must be better implemented and monitored at the local level.

83. Mechanisms should be established, in consultation with communities, to ensure that local leadership structures and chiefdoms function in the interests of all communities without discrimination. Effective oversight mechanisms and complaint procedures should be put in place to ensure that paramount chiefs and others with lower-level authority are subject to appropriate review and that community members from all groups have channels through which to challenge decisions or register complaints.

84. The Independent Expert acknowledges the significant efforts made by the Government to ensure free primary education for all children. She however urges it to intensify specific, targeted efforts to improve education access and outcomes for children from minority communities. Education initiatives should be developed in close consultation with minority communities and non-governmental organizations, and should be sensitive to the specific situations of such groups and their cultures, traditions, lifestyles and languages.

85. The State should strengthen legislative and policy measures to ensure the political participation of groups that are currently underrepresented in political and decision-making bodies at the local, regional and national levels, including the Pygmy, Mbororo and other communities. Existing measures, including those relating to electoral processes, should be reviewed and, where necessary, revised or clarified and their implementation evaluated to ensure that they are fit for their intended purpose. The Independent Expert urges the State to consider the recommendations made at the second Forum on Minority Issues in this regard.[27]

[27] See A/HRC/13/25.

86. **The customary leadership structures and practices of minority and indigenous communities, including in the appointment of chiefs and the resolution of community-based disputes, should be fully respected and allowed to function according to traditional practices with no undue interference by other communities, individuals or the State. Where a complaint is made that there has been undue interference or disputes exist, an independent review should be conducted with the full participation of the parties and community members concerned, both men and women.**

87. **Mbororo pastoralists are facing pressure to settle as well as loss of access to traditional lands. In addition to measures to protect their rights to land and water and to urgently resolve ongoing land disputes, initiatives should be continued and intensified to ensure their access to basic services, education and health care appropriate to their needs, culture and traditions and, where necessary, their nomadic lifestyle. The draft pastoral code provides essential guarantees for pastoralist communities, and should be adopted into law.**

88. **The Pygmies are the guardians of the forest, in which they have always lived in harmony. The Government should respect the rights of Pygmy communities to continue to live in their traditional forest habitats and to have full access to the forests and their traditional hunter-gatherer lifestyles wherever possible, and find solutions, in consultation with communities, to enable them to do so.**

89. **Where displacement of Pygmy communities has taken place or is unavoidable following full review of available options, communities should be consulted fully regarding relocation, with priority given to options allowing them to continue their traditional forest-based lifestyle. Communities should be fully supported in the short, medium and long term to ensure their access to services, food security, their safety and secure, non-exploitative interaction with neighbouring communities, and their access to income-generating activities. Compensation for their displacement must be appropriate to their situation, culture and traditions.**

90. **Essential research is required on Montagnard communities and the regions in which they live, to build a comprehensive picture of their numbers, geographical location, socioeconomic conditions relative to other communities, the minority and other human rights issues that they face, and their needs as individuals, families and communities. On the basis of such research, targeted interventions should be made, in close consultation with communities, in order to urgently improve their situations and enjoyment of their rights.**

91. **The protection of the right to freedom of religion and belief and of the rights of religious minorities to freely practice their faith must extend to all faith and belief groups, and not be unduly restricted. Registration processes, where required, to grant authorization to function should be non-discriminatory, and clear criteria and time frames should be established and respected in practice. No undue delays or restrictive criteria should be imposed and, where authorization is not granted, clear reasons should be stated and appeals permitted.**

92. **Individuals or groups suspected of having committed crimes in the context of their faith or belief-based activities should be prosecuted pursuant to national law and in compliance with international standards of fair trial. Faith communities conducting legitimate faith-based activities, including assembling for worship and proselytizing, should not face undue restrictions on those activities, be closed or otherwise punished without due recourse to the law and judicial process.**

93. **In the specific cases of the Pentecostal churches closed in 2013, an investigation of such closures should be urgently conducted. Where no justifiable legal grounds for their closure are found, the churches should be allowed to reopen and resume their**

functions. Where any church was found to have been closed for functioning without proper legal authority, investigations should establish whether such authority was sought and whether any undue delay or obstruction was imposed to prevent the granting of such authority.

94. The decline and possible disappearance of some of the many mother-tongue languages spoken in Cameroon are cause for national and international concern. The Independent Expert welcomes initiatives to record and maintain these languages alongside French and English, and urges the Government to intensify such measures in collaboration with international actors and experts in this field, including the United Nations Educational, Scientific and Cultural Organization.

95. A pilot project for bilingual education for certain linguistic groups, including Baka Pygmy communities, has now begun in several schools using a model that has proved effective for improving education outcomes for minority children and for helping to maintain minority languages. Should the results be positive, the Government is urged to expand models of bilingual and multilingual education throughout the country, with adequate resources being provided for teacher training, the supply of text books and other appropriate teaching materials.

96. There are significant challenges to the achievement of the full and effective implementation of the State's policy of official language bilingualism. Further steps are necessary, including in the fields of education, training and administration, to ensure that no discrimination or economic, social or cultural exclusion is experienced, in particular by minority English speakers in non-Anglophone majority regions, but also by minority francophones in English-speaking regions. The implementation of the policy should be closely monitored throughout the country, and stronger measures should be taken to ensure equality in practice, including in employment and in appointments to public office.

97. Serious allegations were brought to the attention of the Independent Expert regarding violations of the civil and political rights of individuals advocating for greater political autonomy for anglophone regions or for their secession from Cameroon. The Independent Expert emphasizes that, without any crime having been committed, actions to restrict the freedom of association and assembly or the freedom of expression of such individuals, as well as their arrest and detention, constitute violations of their civil and political rights and, as such, should be revoked immediately.

98. The National Commission on Human Rights and Freedoms has a valuable role to play in the protection of minority rights, which could be further enhanced by a dedicated unit and the inclusion in its work of training on minority and indigenous rights for authorities, including for public officials, the police, gendarmes and judicial authorities.